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August 16, 2020

By ECF and e-mail

Honorable Richard J. Sullivan
United States Circuit Judge
Court of Appeals for the Second Circuit
40 Foley Square
New York, New York 10007

Re: *United States v. Javier Lavayen*, 14 Cr. 774 (RJS)

Dear Judge Sullivan:

I apologize for writing to the Court on a Sunday, especially about what may appear to be a mundane matter, but I respectfully request that the Court allow Mr. Lavayen to leave his home today to run two essential errands: to retrieve his paycheck from his employer, and to open up a post office box where he can receive mail while incarcerated. The Probation Office has indicated that it cannot allow Mr. Lavayen to leave his home today for any reason without Court approval.

Mr. Lavayen is scheduled to surrender tomorrow morning at 9:00 a.m., and we do not expect that he will be released until after his state case is resolved and this Court has sentenced him on the violations of supervised release. Retrieving his paycheck and setting up a post-office box are important things for Mr. Lavayen to address before he surrenders. Mr. Lavayen has been wholly compliant with the location monitoring condition imposed after the conference on July 27, 2020, and I respectfully request that the Court permit Mr. Lavayen to run the above errands under the strict supervision of the Probation Office.

Respectfully submitted,

/s/ _____
Martin S. Cohen
Ass't Federal Defender
Tel.: (212) 417-8737

cc: Drew Skinner, Esq. by ECF and e-mail
Darryl Spencer, U.S. Probation Officer, by e-mail

IT IS HEREBY ORDERED THAT the request is denied.

SO ORDERED
Dated: 8/16/20
RICHARD J. SULLIVAN
U.S.D.J.